

ASSEMBLY BILL

No. 1504

Introduced by Assembly Member Spitzer

February 21, 2003

An act to amend Section 1026.6 of the Penal Code, relating to release of committed persons.

LEGISLATIVE COUNSEL'S DIGEST

AB 1504, as introduced, Spitzer. Release of committed persons.

Existing law provides that in any case in which the victim or next of kin of the victim of an offense for which the person was committed to a state hospital or other treatment facility has filed a request for notice with the director of the state hospital or other treatment facility, he or she shall be notified by the director at the inception of any program in which the committed person would be allowed any type of day release unattended by the staff of the facility. If he or she has filed a request for notification with the court, he or she shall receive actual notice from the court before the committed person is placed on outpatient status. Existing law also requires that the director of a state hospital notify certain persons upon the release of a person who has been committed to a state hospital.

This bill would require that the director also notify the victim or next of kin of the victim, if he or she has filed a request for notification, before the committed person is released for any reason, discharged, or placed on outpatient status.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1026.6 of the Penal Code is amended to
2 read:

3 1026.6. (a) Whenever any person who has been committed
4 to a state hospital pursuant to Section 1026 is released for any
5 reason, including placement on outpatient status, the director of
6 the hospital shall notify the community program director of the
7 county, and the chief law enforcement officer of the jurisdiction,
8 in which the person will reside upon release, if that information is
9 available.

10 (b) *Whenever any person who has been committed to a state*
11 *hospital or other treatment facility pursuant to Section 1026 is*
12 *released for any reason, discharged, or placed on outpatient*
13 *status, the director of the state hospital or other treatment facility*
14 *shall notify the victim or next of kin of the victim if she or she has*
15 *filed a request for notice.*

